

FIRST REGULAR SESSION

# SENATE BILL NO. 200

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR ROHRBACH.

Pre-filed January 4, 1999, and 1,000 copies ordered printed.

S0862.04I

TERRY L. SPIELER, Secretary.

## AN ACT

To repeal sections A, B and E, Proposition A, adopted by the registered voters of the State of Missouri on November 3, 1998, and to enact in lieu thereof three new sections relating to animal baiting, with penalty provisions.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section 1. Sections A, B and E, Proposition A, adopted by the registered voters of the State of Missouri on November 3, 1998, are repealed and three new sections enacted in lieu thereof, to be known as sections A, B and E, to read as follows:

Section A. As used in sections A to G of **Proposition A, adopted by the registered voters of the State of Missouri on November 3, 1998**, the following terms mean:

(1) ["Animal," every living vertebrate except a human being;

(2)] "Baiting," to attack, provoke, or harass [an animal] **a gamecock** with one or more [animals] **gamecocks** for the purpose of training [an animal] **a gamecock** for, or to cause [an animal] **a gamecock** to engage in, fights with other [animals] **gamecocks** for the purpose of amusement, entertainment, wagering or gain;

[(3)] (2) "Bear wrestling," a contest of fighting or physical altercation between one or more persons and a bear for the purpose of amusement, entertainment, wagering or gain;

(3) **"Cockfighting," a contest of fighting or physical altercation between one or more gamecocks for the purpose of amusement, entertainment, wagering or gain;**

(4) **"Gamecock", a domesticated fowl that is bred or reared for the purpose of fighting with other fowl;**

[(4)] (5) "Person," any individual, partnership, firm, joint stock company, corporation,

**EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

association, other business unit, society, trust, estate or other legal entity, or any public or private institution.

Section B. 1. Any person who commits any of the following acts is guilty of a class D felony:

- (1) Baiting or fighting [animals] **gamecocks**;
- (2) Permitting baiting or [animal fighting] **cockfighting** to be done on any premises under his charge or control;
- (3) Promoting, conducting, or staging a baiting or fight between two or more [animals] **gamecocks**;
- (4) Advertising a baiting or fight between two or more [animals] **gamecocks**;
- (5) Collecting any admission fee for a baiting or fight between two or more [animals] **gamecocks**.

2. Any person who commits any of the following acts is guilty of a class A misdemeanor:

- (1) Knowingly attending the baiting or fighting of [animals] **gamecocks**;
- (2) [Knowingly selling, offering for sale, shipping, or transporting any animal which has been bred or trained to bait or fight another animal;
- (3) Owning or possessing any of the cockfighting implements, commonly known as gaffs and slashers, or any other sharp implement designed to be attached to the leg of a gamecock;
- (4)] Manufacturing, selling, bartering or exchanging any of the cockfighting implements, commonly known as gaffs and slashers, or any other sharp implement designed to be attached to the leg of a gamecock, **for the purpose of promoting, conducting or staging a fight between two or more gamecocks, or knowing that such implements are likely to be used for such purposes.**

Section E. [1. The provisions of sections B and C shall not apply to] **The following activities shall be lawful:**

(1) [Any person] Simulating a fight for the purpose of using the simulated fight as part of a motion picture production or a motion picture production for television, provided sections 578.009 and 578.012, **RSMo**, are not violated;

(2) [Any person] Using animals to track, pursue or take wildlife or to participate in any hunting, **fishing or trapping** regulated by the Missouri Department of Conservation;

(3) [Any person] Using animals to herd, work or identify livestock for agricultural purposes according to recognized animal husbandry[.];

[2. Nothing in the provisions of sections A, B and C shall be construed to:

(1) Prohibit] **(4)** Breeding, rearing or slaughtering poultry pursuant to the provisions of chapters 196, 262, 265, 276 and 277, **RSMo**;

[(2) Prohibit] **(5)** Breeding or rearing game fowl when the game fowl are not intended for use in violation of the provisions of [sections] **section A, B or C of Proposition A, adopted**

**by the registered voters of the State of Missouri on November 3, 1998;**

**[(3) Prohibit] (6) Rodeo practices [currently] sanctioned by [the Professional Rodeo Cowboy's Association] any association established for the purpose of promoting or operating rodeos.**

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